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Name of Registered Representative:

John C. Freeman
John C. Freeman, Reg. No. 34,483

October 9, 2001
Date of Signature

PATENT
CASE NO. 56/353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
)
Robert Wastlhuber et al.)
) Group Art Unit: 2661
)
Serial No.: 09/884,553)
) Examiner: unassigned
Filed: June 18, 2001)
)
For: METHOD AND DEVICE FOR)
SERIAL DATA TRANSMISSION)
BETWEEN A POSITION)
MEASURING SYSTEM AND)
A PROCESSING UNIT)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for consideration by the Examiner. Copies of the references are enclosed along with a completed copy of Form PTO-1449.

I. DISCLOSURE

A. U.S. Patents

| <u>Patent No.</u> | <u>Inventor</u> | <u>Issue Date</u> |
|--------------------------|------------------------|--------------------------|
| 5,625,353 | Katagiri et al. | 04/29/97 |
| 5,687,103 | Hagl et al. | 11/11/97 |
| 5,815,089 | Katagiri et al. | 09/29/98 |
| 6,124,588 | Hagl et al. | 09/26/00 |

B. Foreign Patents

| <u>Reference No.</u> | <u>Country</u> | <u>Pub. Date</u> |
|-----------------------------|-----------------------|-------------------------|
| 30 01 331 | W. Germany | 07/23/81 |
| 40 05 087 | Germany | 08/01/91 |
| 43 44 916 | Germany | 06/30/94 |
| 0 660 209 | EP | 06/28/95 |
| 197 14 152 | Germany | 08/13/98 |
| 198 11 095 | Germany | 09/30/99 |

C. Literature

1. Schneider, Sandro, "Verteilte Intelligenz im CAN-Bus-Verbund," F&M, Vol. 104, No. 10, 1996, pp. 757-758.
2. Bielski, Steffen et al., "Absolute Messsysteme – Sicherheitserwartungen an die Datenerfassung und Datenübertragung," Automatisieren, Nos. 1/2, 1996, pp. 6, 8, 9, 12,14.

D. Pending Dr. Johannes Heidenhain GmbH Patent Applications

| <u>Application No.</u> | <u>Inventor</u> | <u>Filing Date</u> |
|-------------------------------|------------------------|---------------------------|
| 09/884,858 | Wastlhuber et al. | 06/18/01 |

II. DISCUSSION

A. West German Patent Reference No. 30 01 331

Based solely on the drawings and the enclosed English language Abstract, the '331 patent reference is pertinent because it appears to disclose a monitor for motor vehicles where a start bit sequence of each transmitted word is used to synchronize the receiver.

The '605 patent reference was designated as an A-type reference in a Search Report in corresponding German Patent Application 100 30 358.7. An A-type reference is deemed to define the general state of the art, which is not considered to be of particular relevance.

B. German Patent Reference No. 40 05 087

Based solely on the drawings and the enclosed English language Abstract, the '087 patent reference is pertinent because it appears to disclose a connection unit that provides an acknowledgement signal after reception of a transmit signal and a data signal.

The '087 patent reference was designated as a Y-type reference in a Search Report in corresponding German Patent Application 100 30 358.7. A Y-type reference is deemed to be pertinent when combined with one or more Y-type references.

C. German Patent Reference No. 43 44 916

Based solely on the drawings and the enclosed English language Abstract, the '916 patent reference is pertinent because it appears to disclose a transmission device that uses position data and separate data.

The '916 patent reference was designated as a Y-type reference in a Search Report in corresponding German Patent Application 100 30 358.7.

It is believed that U.S. Patents Nos. 5,625,353 and 5,815,089 correspond to the '916 reference.

D. European Patent Reference No. 0 660 209

Based solely on the drawings and the enclosed English language Abstract, the '209 patent reference is pertinent because it appears to disclose an apparatus for serial transmission of data between a position measuring device and a processing unit. A binary code word defining an absolute position is fed to an output which causes bit-serial transmission. Commands can be transmitted serially as well.

The '209 patent reference was designated as a D-type and a Y-type reference in a Search Report in corresponding German Patent Application 100 30 358.7.

It is believed that U.S. Patent No. 5,687,103 corresponds to the '209 reference.

E. German Patent Reference No. 197 14 152

Based solely on the drawings and the enclosed English language Abstract, the '152 patent reference is pertinent because it appears to disclose a method of determining the maximum number of transmitted data from a time period.

The '152 patent reference was designated as a Y-type reference in a Search Report in corresponding German Patent Application 100 30 358.7.

F. German Patent Reference No. 198 11 095

Based solely on the drawings and the enclosed English language Abstract, the '095 patent reference is pertinent because it appears to disclose a method of using a transmission device to

detect teeth and gaps in a moving object.

The '095 patent reference was designated as an A-type reference in a Search Report in corresponding German Patent Application 100 30 358.7.

G. Schneider Article

Based solely on the pictures, the Schneider Article is pertinent because it appears to disclose

The Schneider Article was designated as an A-type reference in a Search Report in corresponding German Patent Application 100 30 358.7.

H. Bielski et al. Article

Based solely on the pictures, the Bielski et al. Article is pertinent because it appears to disclose

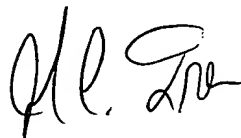
The Bielski et al. Article was designated as an A-type reference in a Search Report in corresponding German Patent Application 100 30 358.7.

III. CONCLUSION

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicant wishes to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicant's desire, however, to have these references available in the record for both the Examiner and the public to see. Applicant therefore requests that the Examiner review the entire disclosure of each reference and make the above-listed references of record. Applicant also invites the Examiner to review the above-mentioned Heidenhain application, copy of the originally filed claims is enclosed, and the

art cited therein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J.C. Freeman". The signature is fluid and cursive, with the first name "John" and last name "Freeman" clearly distinguishable.

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Dated: October 9, 2001



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|---|--|------------------------|
| FORM PTO-1449 | SERIAL NO. 09/884,553 | CASE NO. 501253 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | FILING DATE June 18, 2001 | GROUP ART UNIT 2661 |
| (use several sheets if necessary) | APPLICANT(S): Robert Wastlhuber et al. | |

REFERENCE DESIGNATION**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|----|--------------------|----------|-----------------|--------------------|----------------|
| | A1 | 5,625,353 | 04/29/97 | Katagiri et al. | | |
| | A2 | 5,687,103 | 11/11/97 | Hagl et al. | | |
| | A3 | 5,815,089 | 09/29/98 | Katagiri et al. | | |
| | A4 | 6,124,588 | 09/26/00 | Hagl et al. | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES | NO |
|---------------------|-----|--------------------|----------|------------|--------------------|--------------------|----|
| | A5 | 30 01 331 | 07/23/81 | W. Germany | X | | |
| | A6 | 40 05 087 | 08/01/91 | Germany | X | | |
| | A7 | 43 44 916 | 06/30/94 | Germany | X | | |
| | A8 | 0 660 209 | 06/28/95 | EP | X | | |
| | A9 | 197 14 152 | 08/13/98 | Germany | X | | |
| | A10 | 198 11 095 | 09/30/99 | Germany | X | | |

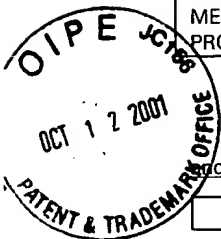
| EXAMINER INITIAL | OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.) | |
|---------------------|--|---|
| | A11 | Schneider, Sandro, "Verteilte Intelligenz im CAN-Bus-Verbund," F&M, Vol. 104, No. 10, 1996, pp. 757-758. |
| | A12 | Bielski, Steffen et al., "Absolute Messsysteme – Sicherheitserwartungen an die Datenerfassung und Datenübertragung," Automatisieren, Nos. ½, 1996, pp. 6, 8, 9, 12, 14. |
| | A13 | Pending Claims of Patent Application Assigned to Dr. Johannes Heidenhain GmbH: Serial No.: 09/884,858, Filing Date: 06/18/01, Inventor: Wastlhuber et al. |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

2661
#4

| TRANSMITTAL LETTER | | | Case No. 56/353 |
|--|------------------------------|--------------------------|------------------------|
| Serial No. 09/884,553 | Filing Date June 18, 2001 | Examiner Not Assigned | Group Art Unit 2661 |
| Inventor(s) Robert Wastlhuber et al. | | | |
| Title of Invention METHOD AND DEVICE FOR SERIAL DATA TRANSMISSION BETWEEN A POSITION MEASURING SYSTEM AND A PROCESSING UNIT | | | |



TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Information Disclosure Statement with copies of thirteen (13) cited references; Form 1449, and post card.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a _____ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

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| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra |
|---|----------------------------------|-------|---------------------------------|---------------|
| Total | | Minus | | |
| Indep. | | Minus | | |
| First Presentation of Multiple Dep. Claim | | | | |

| Small Entity | |
|-----------------|-----------|
| Rate | Add'l Fee |
| x \$9 = | |
| x \$42 = | |
| + \$140 = | |
| Total add'l fee | \$ |

| Other Than Small Entity | |
|-------------------------|-----------|
| Rate | Add'l Fee |
| x \$18 = | |
| x \$84 = | |
| + \$280 = | |
| Total add'l fee | \$ |

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

John C. Freeman
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Attorney for Applicants

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Date: October 9, 2001 Signature:



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